

UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

14-cv-00574-GMN-VCF
OBBED
ORDER

Pending before the Court is the Motion for Preliminary Injunction (ECF No. 23) and the Motion for Injunctive Relief (ECF No. 25) filed by *pro se* Plaintiff Mike Sammons ("Plaintiff").

Plaintiff is the owner of 1,000,000 shares of common stock in Defendant Rino International Corporation ("Rino"), a defunct entity. (Compl. ¶¶ 1–2, ECF No. 1). In this case Plaintiff is seeking to be appointed receiver of Rino for the purpose of liquidating any assets and distributing them to the shareholders. (*Id.*). However, on February 13, 2015, this Court entered an Order (ECF No. 18) adopting the Report and Recommendation (ECF No. 11) of Magistrate Judge Ferenbach, which held that the amount in controversy necessary for the Court to exercise diversity jurisdiction—over \$75,000—was not present in this case. On February 17, 2015, a Clerk's Judgment (ECF No. 19) was entered against Plaintiff, dismissing his claims without prejudice and closing the case. That same day, Plaintiff filed a Notice of Appeal (ECF No. 19) seeking reversal of the Court's Order.

Once the notice of appeal is filed, the district court loses jurisdiction over the matters being appealed. *Natural Res. Def. Council, Inc. v. Southwest Marine Inc.*, 242 F.3d 1163, 1166 (9th Cir. 2001); *United Nat'l Ins. Co. v. R & D Latex Corp.*, 242 F.3d 1102, 1109 (9th Cir. 2001). In his motions, Plaintiff is attempting to continue litigating the matters currently on

1	appeal and is essentially seeking reconsideration of this Court's Order dismissing his case.
2	Therefore, because this Court was divested of jurisdiction at the time the Notice of Appeal was
3	filed and Plaintiff's motions were filed after that time, those motions are denied.
4	Accordingly,
5	IT IS HEREBY ORDERED that Plaintiff's Motion for Preliminary Injunction (ECF
6	No. 23) is DENIED .
7	IT IS FURTHER ORDERED that Plaintiff's Motion for Injunctive Relief (ECF No.
8	25) is DENIED .
9	DATED this 10th day of November, 2015.
10	\mathcal{M}
11	- Auco
12	Gloria M. Navarro, Chief Judge United States District Judge
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	